IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.8.2007

CORAM

THE HONOURABLE MR.JUSTICE M.JAICHANDREN

Writ Petition No.27307 of 2007

G. Manoharan .. Petitioner

vs.

The Revenue Divisional Officer,
Thiruvallur,
Thiruvallur District. .. Respondent

This writ petition is filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus to direct the respondent to release the seized Tractor bearing Registration No.TN-20-4596, Trailer bearing Registration No.TN-20-4597, seized on 13.08.2007 by the respondent to the petitioner.

For petitioner : Mr.E.Martin Jeyakumar

For respondent : Mr.A.Arumugam
Additional Government Pleader

O R D E R

Mr.A.Arumugam, the learned Additional Government Pleader takes notice for the respondent.

2. With the consent of the learned counsels appearing on either side, the writ petition itself is taken up for final disposal.

3. Considering the facts and circumstances of the case, the respondent is directed to release the seized Tractor bearing Registration No.TN - 20 - 4596, and the Trailer bearing Registration No.TN - 20 - 4597, seized by the respondent on 13.08.2007, on the following conditions:-

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A) The petitioner shall establish the ownership of the vehicle by producing the necessary documents before the Respondent.

B) The petitioner shall not part with or alienate the vehicle in any manner till the adjudication is over.

C) The petitioner shall deposit with the respondent a sum of Rs.15,000/- (Rupees Fifteen Thousand only) in cash, as agreed.

D) The petitioner shall file an undertaking that he will not use the vehicle for any illegal activities in future and also to produce the vehicle before the respondent as and when called for.

E) The petitioner shall also produce the vehicle once in two months before the respondent herein in order to ensure that condition (B) is properly complied with.

4. In the event of default by the petitioner in complying with condition B or E, it will be open to the respondent to seize the vehicle, without further notice to the petitioner.

5. Apart from releasing the vehicle on the petitioner fulfilling the above conditions, the respondent is further directed to adjudicate upon the matter and pass appropriate orders, in accordance with law, expeditiously.

6. With the above directions, this Writ Petition is disposed of, at the admission stage itself. No costs.

cla

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

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To

The Revenue Divisional Officer,
Thiruvallur,
Thiruvallur District.

+ 1 cc to Mr. E. Martin Jeyakumar, Advocate SR No. 52443

+ 1 cc to the Government Pleader, SR No.52253

W.P.No.27307 of 2007

MDR(CO)
SR/23.8.2007

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